

CITY OF SUNNYVALE  
DRAFT 2006 LEGISLATIVE ADVOCACY POSITIONS

## 1. LAND USE AND TRANSPORTATION

### i. The Region

- (1) Support efforts to provide a permanent, direct percentage of federal transportation funds to local government transportation departments for priority work in urban areas. Support federal funding appropriations at the highest levels. *[Added as ISTE in 1991/Expanded 1993 NLC Resolution/Modified 2003]*
- (2) Support state funding for regional transportation projects; oppose eliminating or reducing state or federal funds due to local contributions. Support local input in determining project priorities. Oppose transfers of local and statewide transportation funds to balance the State General Fund budget. *[\*/Modified 1995/Modified 2003]*
- (3) Seek local policy participation on regional rail projects and support efforts to bring light rail or other fixed guideway or rapid transit service to downtown Sunnyvale. *[\*/Modified 1993, 2006 Public Works staff recommendation]*  
*Explanation: Council has indicated support for consideration of a range of technologies, not just light rail.*
- (4) Support efforts to change the representation on the Metropolitan Transportation Commission to reflect the relative population of Bay Area counties. *[First Appeared 1995]*
- (5) Support upgrading Caltrain service to provide faster and more frequent service to Sunnyvale; support transportation policies and funding that would provide and improve connections between Light Rail, Caltrain and industrial neighborhoods. *[\*/Modified 1998-July/Modified 2001]*
- (6) Support continued operation of the Santa Clara Valley Transportation Authority bus transit and paratransit service at service levels sustainable to meet the needs of transit dependent populations. *[\*/Modified 1996 Ballot Initiative-Measure D/Modified 2001/Modified 2003]*
- (7) Oppose changes in laws that allow increasing the size and weight of commercial trucks. *[Council Resolution–April 1991/ Modified 1994 and 1998-July]*
- (8) Support the concept of a proposed water transit system. However, Sunnyvale believes that any water transit system should be funded through new revenue sources only, that local officials should be directly involved in governing any water transit system, and the interests of its residents should be protected. *[Council RTC 98-264/Modified 2000]*
- (9) Support the continuing efforts of the San Francisco Bay Area Water Transit Authority to explore San Francisco Bay Ferry Expansion, with reasonable and feasible alternatives for multimodal access to a South Bay ferry terminal. *[\*/Modified 2003]*
- (10) Support efforts to allow Bay Area voters to decide upon a regional gas tax that would raise funds for regional transportation improvements. *[1998- staff suggestion]*
- (11) Support flexible spending of state and federal transportation funds for locally determined needs. Oppose project or program specific earmarking of funds from existing funding sources. *[First Appeared 2001/ Modified 2003/2006 NLC Resolution]*
- (12) Support flexible regional, state and federal funding for pavement maintenance *[2001 Public Works staff recommendation/2002 modification]*

- ~~(13)~~ ~~Support efforts to implement a uniform regional or statewide street cut maintenance fee. [2001 Public Works staff recommendation]~~  
*Explanation: This issue has been defeated in court challenges.*
- ~~(14)~~(13) Support the concept of Smart Growth that promotes a stronger integration of land use and transportation on state, regional and local levels. Integrate local priorities in land use and transportation into Smart Growth actions. *[First Appeared 2003]*
- ~~(15)~~(14) Build consensus, on a sub-regional level, on methods to address regional transportation, housing, and land use challenges and advocate those solutions. ~~[First Appeared 2003]~~ Public Works staff recommendation
- ~~(16)~~(15) Support new funding and support programmatic and coordination efforts to enhance the mobility of the growing senior population. ~~[First Appeared 2003]~~ Public Works staff recommendation
- ~~(17)~~(16) Support identification and pursuit of limited term revenue sources for transit capital and operating purposes only after stabilization of revenue and service levels sustainable to meet the needs of transit dependent populations. *[2004 Public Works Staff Recommendation]*
- ~~(18)~~(17) Support the use of Federal Transportation Trust Funds for the delivery of transportation system improvements and distribution of the funds being done on the principle of “return to source”. Oppose retention of trust funds for the purpose of “masking” the federal deficit or actual budgetary imbalances. *[1998-December-staff suggestion] [2004 Finance & Public Works Staff Recommendation] Moved from Section 7, Planning & Management, (i) Federal]*
- ~~(19)~~(18) Communicate to the VTA Board of Directors information on the 1993 Cooperative Agreement Concerning the Tasman Corridor Light Rail Project, and specify that the pending New Rail Corridors Study shall abide by the terms of the Agreement.  
*[2005 DPW Staff Recommendation based on Council action August 24, 2004]*
- ~~(20)~~(19) Research and document compliance with the 1993 Cooperative Agreement concerning the Tasman Corridor Light Rail Project, and once documentation is reviewed and approved, file for alternative dispute resolution.  
*[2005 DPW Staff Recommendation: Based on Council action August 24, 2004.]*
- ~~(21)~~ ~~Build upon the success of the Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21) and reauthorize federal transportation programs for another six years (2004-2009). [2004, 2005 NLC Resolution].~~  
*Explanation: Federal transportation legislation was re-authorized in 2005.*
- ~~(22)~~(20) Support Caltrain electrification concurrent with grade separation of roadway crossings in the City of Sunnyvale and elsewhere on the Peninsula corridor for a future four track configuration. Electrification should also fully accommodate future high-speed rail.  
*[DPW Staff Recommendation based on Council action May 11, 2004.]*
- ~~(23)~~(21) Monitor the implementation of the California High Speed Rail Plan and advocate for a financially self-sustaining system using proven cost effective technology and based on the conservative rider ship assumptions, that does not require significantly increasing the State’s bonded indebtedness. The City should actively participate in planning and design to minimize the impact of high-speed rail operations in Sunnyvale. The City supports a southern route without identifying a specific route at this time, but one that does not impact the Henry Coe State Park or the Orestimba wilderness.

*[DPW Staff Recommendation based on Council action May 11, 2004.]*

- ~~(24)~~(22) Support streamlining or otherwise provide sufficient resources to expeditiously process local agency federal and state-aid projects through Federal and State environmental and regulatory requirements.

*[2005 DPW Staff Recommendation]*

(23) Urge Congress and the Administration to appoint local elected officials to the Future of Surface Transportation System Study Commission and the National Surface Transportation Infrastructure Financing Commission. [2006 NLC Resolution]

(24) Promote improved public multimodal transportation and seek creative and innovative solutions that will carry the United States during the 21<sup>st</sup> Century. [2006 NLC Resolution]

## ii. The City

- (1) Support metering ramps to freeways and expressways as long as they do not adversely affect local surface traffic. *[First Appeared 1993]*
- (2) Oppose exclusionary city practices regarding group and residential care homes, but support legislation authorizing increased city land-use control of such facilities. Support increased federal funding to states for adequate licensing and oversight of group homes. *[First Appeared 1992/Modified 1996/2002 NLC Resolution]*
- (3) Support the ability of cities to address neighborhood concerns regarding shopping cart retrieval to reduce urban blight. *[1997 LCC Resolution]*
- (4) Allow cities and counties to address land use matters in mobile home parks based on circumstances unique to the local jurisdiction. Support clarification where uniform regulations are necessary on a statewide basis. *[First Appeared 1993/Modified 1998-January]*
- (5) Strengthen the control of cities over development within or contiguous to their sphere of influence. *[\*]*
- (6) Support efforts to assure that California cities' interests continue to be appropriately reflected in the adoption of uniform codes. *[1998 LCC Resolution/Modified 2000]*
- (7) Oppose broad exemptions from the National Environmental Policy Act (NEPA). *[2003, 2004 NLC Resolution]*
- (8) Support the rights of cities to request that the United States Postal Service develop and implement zip codes that do not overlap municipal boundaries. *[2002 LCC Resolution]*
- (9) Support efforts to clarify the ZIP Code designation process, and related matters, and support a directive to the USPS to reform, formalize, and standardize the process in which municipalities can appeal their assigned ZIP Code boundaries, default ZIP Code city designation, and other related ZIP Code matters. [2006 NLC Resolution]

## 2. COMMUNITY DEVELOPMENT

### Economic Development

## ATTACHMENT A

- (1) Support housing, transportation and other fees and exactions to mitigate the impacts of development and provide infrastructure to address quality of life issues provided that such action does not place Sunnyvale at a competitive disadvantage among other Silicon Valley cities in the attraction and retention of major growth industries [*First Appeared 1998-January; Modified 2003/Community Development Staff Recommendation*]
- (2) Oppose **state** actions that would negatively impact the allocation of tax increment revenue to redevelopment agencies. [*\*/Modified 1998-December, 2006 Community Development staff recommendation*]  
*Explanation: Deletion to ensure that we oppose all actions from any agency that would impact RDA tax increments.*
- (3) Support state and federal economic development strategies with sufficient funding for new economic development initiatives, and in consultation with local governments, develop strategies for economic viability (e.g. tax credits, workers comp, employee training). [*First Appeared 1993/Modified 1994/1998-July combined with policy that existed at least since 1989/2002, 2004, 2006 NLC Resolution, 2005 modified by staff*]
- (4) Oppose excessive fees and tax increases on business that worsen the local and state business climate. [*First Appeared 1993; Modified 2003/Community Development Staff Recommendation*]
- (5) Encourage federal cooperation with local governments if planning to restore, replace, close, or relocate a federal or a postal facility. [*1999/2000 NLC Resolution; 2002 NLC Resolution, 2005 modified by staff*]
- (6) Advocate at the state and federal levels for adequate funding for basic research and for programs that will strengthen the region's R&D infrastructure. (BAEF/Bay Area Science Innovation Consortium) [*First Appeared 2003, 2005 modified by staff*]
- (7) Support research and development funding that increases and capitalizes on the capabilities of our existing industries, and increase the role of federal research and development in civilian research and technology. Support programs that promote continued/increased research and development that is innovative, entrepreneurial and has growth potential. Support investment in research and business opportunities to enhance homeland security and promote local security-related products and services that have applications by government at the local, state and federal levels. [*Combined from two policies that first appeared in 1994; Modified 2003 Community Development Staff Recommendation; 2003 Community Development Staff Recommendation, 2005 modified by staff*]
- (8) Support local, state and federal initiatives that will enhance Sunnyvale's competitiveness for emerging technology business development, including bioscience, information technology, nanotechnology and stem cell research. [*2003 Community Development Staff Recommendation, modified 2004 by staff, 2005 modified by staff based on Council action 10/19/04/2006 NLC Resolution*]
- (9) Support the creation of a state economic development strategy that emphasizes business retention, promotes investment and business development opportunities, and promotes California as a good place to do business. [*2003 Community Development Staff Recommendation*]
- (10) Support efforts to identify, assess, and mitigate key obstacles to business development in California, including workers compensation insurance, government regulations negatively impacting business, and the lack of a state economic development strategy. [*2003 Community Development Staff Recommendation/2006 NLC Resolution*]

- (11) Urge the federal government to provide national defense and economic stimulus assistance to include small business and local economies that experience economic injury because of terrorist attacks and/or natural disasters. [2002 NLC Resolution; 2003 Community Development & Public Works Staff Recommendation; 2006 Community Development staff recommendation]  
*Explanation: So that assistance to businesses is available at all times.*

## 2.2 Open Space

- (1) Support state and federal funding programs for the acquisition development and preservation of parklands and open space including river parkways, creeks, stream improvements and wetland habitats. Support legislation to prohibit the sale, exchange, or transfer of park land already held in the public trust and urge the adoption of comprehensive federal policies for protection and management of all park lands. Support full funding annually, and encourage Congress to allocate 40% of the funds for state and municipal projects. Urge Congress to authorize 20% of Outer Continental Shelf revenues to fully fund the Land and Water Conservation Fund and designate \$125 million to the Urban Park and Recreation Recovery Program to assist the recreation needs of economically distressed communities. [First Appeared 1993/2002,2003,2006 NLC Resolution; Modified/2003 Parks & Recreation Staff Recommendation)
- (2) Oppose changes to state law that would adversely impact the City's ability to acquire school playgrounds, playing fields and recreational real property from school districts. [\*Modified 1998-July]
- (3) Support the completion of the Bay Trail (including NASA property). [1998 Moffett Study Session]
- (4) Support and encourage the completion of the Salt Pond Restoration Project by the consortium of agencies managing the project, and including adequate opportunities for public input on alternatives for restoration and use of ponds. [2005 staff recommendation]
- (5) Encourage open space districts to purchase urban/suburban land as appropriate and feasible. [1998-Council suggestion]
- (6) ~~Oppose~~ Support efforts to minimize the impacts of waterfowl hunting on the Don Edwards San Francisco Bay National Wildlife Refuge ~~in areas where hunting would be incompatible with other designated uses such as in~~ where hunting is in proximity to public access areas or adjacent to City of Sunnyvale operations. [Council action on 12/7/04, 2006 Public Works staff recommendation]  
*Explanation: Council adopted an exception to this policy to allow vehicular access for waterfowl hunters at the end of Carl Road during the waterfowl hunting season for a two-year period, consistent with the Hunt Plan published by the U.S. Department of Fish for the Don Edwards Wildlife National Wildlife Refuge. (Council action on 6/21/05)*

## 2.3 Housing and Community Revitalization

- (1) Support efforts to address the affordable housing issue in cities by continuing efforts to maintain local control, opposing federal and state mandates, bureaucratic layers, and attempt to remove local control of land use, zoning, and impact fees. Support uniform enforcement of the federal Fair Housing Act. [First Appeared 1992/ Modified 1994/2002 NLC Resolution]

## ATTACHMENT A

- (2) Support full funding of the federal CDBG program and continue HOME programs with increased funding, while urging federal, state and municipal governments to make the maximum use of the programs through partnerships with non-profit organizations and the private sector. Support enhanced local priority setting and administrative flexibility. *[First Appeared 1993/2002/2006 NLC Resolution]*
- (3) Support the continuance of the Section 8 rental assistance program, maintaining the supply of Section 8 and other predominantly multi-family housing threatened by the expiration of federal housing subsidy contracts, and efforts to ensure HUD sets a fair market rent standard that is reflective of actual housing market conditions. *[1989 LCC Resolution/2003 NLC Resolution]*
- (4) Support state reimbursement to local agencies for low-income housing projects, and the appropriation of funds in the state budget for reimbursements to local governments that provide property tax exemptions for low-income housing projects. *[1990 LCC Resolution]*
- (5) Support the Low-Income Housing Tax Credit (LIHTC) program; and oppose efforts to weaken or eliminate it. *[1998 LCC Resolution]*
- (6) Oppose modifications to the home mortgage interest deduction. *[1989 LCC Resolution]*
- (7) Oppose efforts to weaken the 1977 Community Reinvestment Act (CRA) by exempting most banking institutions from its coverage and support equal reporting of business and residential loans. *[First Appeared 1992]*  
*Explanation: Corrected typo.*
- (8) Support full funding for the McKinney Homeless Act or other similar programs. Increase the recognition of the need for long-term solutions to the homeless problem. Urge the federal government to support a national study to determine the cause of homelessness, especially among African American and Hispanic veterans. *[1988/1989/2006 NLC Resolutions/ Modified in 1994]*
- (9) Support exemption from the school impact fee for all publicly-subsidized housing, including low and moderate-income housing for senior citizens. *[\*]*
- (10) Support efforts to make surplus federal property available to cities for affordable housing at up to 100% public benefit allowance. *[1993 NLC Resolution]*
- (11) Support low-moderate income congregate housing counting for the housing needs assessment goals and redevelopment requirements. *[1993 LCC Resolution]*
- (12) Support efforts to remove the mandatory voter approval for all low-rent housing projects. *[1993 Ballot Initiative-Prop. 168]*
- (13) Urge establishment of a federal government permanent, dedicated revenue stream to help state and local officials increase the availability of affordable housing within the Housing Trust Fund. *[2002 NLC Resolution/2003 modification]*
- (14) Support expeditious enactment of the Historic Homeownership Assistance Act. *[2002, 2003, 2004 NLC Resolution]*
- (15) Oppose administration efforts to reduce CDBG allocations to wealthiest communities and oppose HR1191 the CDBG Renewal Act which would reduce program flexibility. *[First Appeared 2003/2006 NLC Resolution]*

- (16) Support reforming HUD's accounting and projection procedures to ensure that families and senior citizens in need of affordable housing are not affected by miscalculations. [2004 NLC Resolution]
- (17) Support legislation that requires the federal government to provide flexible funding and technical expertise to enable communities to design and lead neighborhood revitalization projects. [2004 NLC Resolution]
- (18) Support the use of eminent domain on non-residential properties as a last resort to further the City's effort to alleviate blight, enhance the economic vitality of the Redevelopment Project Area and to carry out the goals and objectives of the Redevelopment Plan for the benefit of the community. [Council RTC 04-011 on 1/6/2004 and Ordinance 2742-04 on 1/13/2004]  
Explanation: Council action 1/6/2004 RTC 05-287 and 1/13/2004 Ordinance 2742-04.
- (19) Oppose the replacement of housing vouchers with a dollar-based block grant that eliminates most federal protections for low-income families and support proposals to allow the Department of Housing and Urban Development (HUD) to provide more flexibility for local Public Housing Authorities (PHAs). [2006 NLC Resolution]

## 2.4 Safety and Seismic Safety

- (1) Support effective earthquake mitigation programs for all housing through a pre-funded disaster recovery program. [1990 Ballot Initiatives–Props. 122 and 127/Modified 1993 and 1996]
- (2) Support statewide efforts to coordinate disaster preparedness programs in local jurisdictions and support guidelines to identify the strengths and weaknesses of local preparedness efforts. [1990 LCC Resolution/2006 NLC Resolution]
- (3) Support the posting of specific emergency procedures in apartment buildings and signs in international signage or other language if appropriate. [1993 LCC Resolutions]
- (4) Support adoption of the International Codes published by the International Code Council. [2003 Community Development Staff Recommendation]
- (5) Support State legislation to permit owners of rental property to evict or refuse housing to registered sex offenders, provided that any additional cost incurred by local government is reimbursed by the State. [Council action October 18, 2005 (AB 438) RTC 05-287]  
Explanation: Council action October 18, 2005 (AB 438) RTC 05-287
- (6) Support legislation aimed at prohibiting a licensed community care facility receiving state funds and located within one mile of any school from accepting juveniles undergoing treatment, therapy, or counseling for sexual disorders, deviancy, or sexual misbehavior of any kind, and expanding the 1/4 mile distance restriction to one mile for purposes of maximizing the protection of our communities' youth against potential attacks by sexual predators. [2005 LCC Resolution]  
Explanation: Consistent with the City's safety goals, the 2005 NLC resolution supported SB 1051 extending current state law which prohibits juvenile sex offenders and adult parolees from residing within 1/4 mile of a school facility. Extending this distance to one mile would have a positive impact on Sunnyvale because it increases the distance from schools within which sexual predators are prohibited from residing.

## 2.5 Community Design

- (1) Support the authority of local government to remove on-premise-advertising signs on the basis of height or size after a reasonable period of time. [1997 LCC Resolution]



### 3. ENVIRONMENTAL MANAGEMENT

- (1) Support incentives to limit all types of pollution at their source. [\*]
- (2) Support efforts to develop and require a peer review process for the development of environmental regulations. [1989 LCC & NLC Resolutions]
- (3) Support a study on the relative costs and benefits of current overlapping environmental review procedures and streamlined procedures to the National Environmental Policy Act. [1989 LCC Resolution; Modified/2003 Public Works Staff Recommendation]
- (4) Encourage reasonable regulations on all types of pollutants with known health risks to humans (e.g. cancer, birth defects, etc.). [1990 Ballot Initiative-Prop. 135/ Modified 1998-December]
- (5) Oppose creating separate sentencing guidelines for local government officials convicted on environmental offenses. [1994 NLC Resolution]
- (6) Support the development and implementation of outreach, educational, financial, and technical assistance programs as part of an overall compliance strategy in order to assist businesses of all sizes to better understand and comply with environmental regulations. [First Appeared 1992]
- (7) Support strengthening wetlands protection. [First Appeared 1994-HR 350]
- (8) Support full funding by the federal government for environmental remediation of closed federal facilities. [2002, 2003, 2004 NLC Resolution]
- (9) Support the voluntary inclusion of green building design and strategies in residential public and private development projects and endorse voluntary, statewide Residential Green Building Guidelines as developed by State Green Residential Environmental Action Team (GREAT) and California Integrated Waste Management Board (CIWMB). [2005 LCC Resolution]  
*Explanation: This resolution is nearly identical to existing City policy. Green Building standards emphasize use of recycled products in construction and reuse and recycling of materials discarded in demolition of existing structures, consistent with the City's Solid Waste Sub-Element.*
- (10) Encourage California mayors to: sign the Urban Environmental Accords; collaborate with the California League of Cities to implement the Accords; commit to encourage their city governments to adopt the Accords; and commit their best efforts to achieve the actions called for in the Accords; and in so doing, aim to realize the right to a clean, healthy, and safe environment for all members of our society. [2005 LCC Resolution]

#### 3.1 Water Resources

- (1) Support a statewide action plan for addressing water-related issues, including availability, quality and recycling. [1990 LCC Resolution/2001 clarification]



- (2) Support reauthorization of the Clean Water Act to continue to regulate municipal stormwater programs thru the implementation of best management practices to the “maximum extent practicable” and to include storm water outfall regulation provisions which affect a gradual implementation schedule of the outfall permit process. ~~Support~~ an amendment to the municipal storm water program regulations and permitting requirements to establish financially responsible and realistic guidelines based on best management practices. ~~Support efforts by the federal government to work cooperatively with municipal governments to ensure safe drinking water.~~ [1990 NLC Resolutions/Modified 1993, 2006 Public Works staff recommendation]

*Explanation: This change was made to clarify the City’s current position and specifically indicate that the City continues to support existing “MEP” Clean Water Act requirements regulating stormwater.*

- (3) Support efforts by the federal and state governments to work cooperatively with municipal governments to ensure safe drinking water. [2006 Public Works staff recommendation]

*Explanation: This language was separated from the previous language since it related to drinking water not the regulation of stormwater. Council directed staff to add “...and state governments...” during the January 10, 2006 Council meeting.*

- (3)(4) Support and participate in the Bay Area Water Supply and Conservation Agency (BAWSCA), intended to:

- a) plan for and acquire supplemental water supplies;
- b) encourage water conservation and use of recycled water on a regional basis, and;
- c) assist in the financing of essential public works in a coordinated and cost-effective manner.

Actively participate as a member of the San Francisco Bay Area Regional Water System Financing Authority (Authority) to make contracts and to borrow money and issue notes and bonds, including revenue bonds to fund projects to improve the reliability of the regional water system. [2003, Modification based on Council Recommendation; Modified/2003 Public Works Staff Recommendation]

- (4)(5) Oppose requiring cities and counties to conduct a water supply analysis every five to ten years. [First Appeared 1993]

- (5)(6) Support efforts to give the state the flexibility to adopt toxicity standards based on site-specific conditions which will provide reasonable, cost-effective protection to aquatic organisms and human health. Support a more cooperative approach between all levels of government and the private sector to determine environmental priorities and standards. [1990 NLC Resolution]

- (6)(7) Support financial incentives for recycled water and legislation that encourages the treatment of municipal wastewater for non-potable reuse and promote the development of reasonable regulations to encourage and maximize the responsible use of recycled water as an alternative to California's fresh water supply. Support revisions to existing restrictions on the use of recycled water under Title 22 of the California Code of Regulations to include technical quality standards and broaden the spectrum of acceptable water applications. [\*/Combined with existing policy in 1994/modified 2001; modified/2003 Public Works Staff Recommendation]

- (7)(8) Support the efforts of the Bay Area Regional Water Recycling Program (BARWRP) to support, encourage, publicize, and apply for funding for expansion and continued support of recycled water in the region. [2003 Public Works Staff Recommendation]

## ATTACHMENT A

- ~~(8)(9)~~ Support water conservation efforts to extend the availability of potable water supply in times of drought and in normal conditions. Actively participate in rebate and cost-sharing water conservation programs that are shown to be cost effective. Work with Santa Clara Valley Water District (SCVWD), BAWSCA, BAWUA, SFPUC and any other agency that has jurisdiction and sponsors programs for the conservation of potable water. *[2003 Public Works Staff Recommendation]*
- ~~(9)(10)~~ Encourage the installation of reasonable water conservation devices in a building prior to transfer of title provided there are economic impact criteria. *[First Appeared 1993; Modified/2003 Public Works Staff Recommendation]*
- ~~(10)(11)~~ Support the right of retail water users to transfer water allocations among themselves. Work with water agencies to devise means of effective transfers that will not risk existing water rights, but will augment water supplies of drought impacted areas. *[First Appeared 1993/Modified 2000]*
- ~~(11)(12)~~ Support a moratorium on the promulgation and implementation of certain drinking water regulations under the Safe Drinking Water Act until such time as studies are completed and the reauthorization of the Act is carried out. *[First Appeared 1993]*
- ~~(12)(13)~~ Support increased federal support for municipal water infrastructure needs. Support reversing the decline in funding for municipal water infrastructure, and close the \$23 billion annual spending gap between funding levels and actual appropriations. *[2002, 2003, 2004, 2006 NLC Resolution]*
- ~~(13)(14)~~ Support efforts of San Francisco Public Utility Commission (SFPUC), Santa Clara Valley Water District (SCWD), BAWSCA (Bay Area Water Supply and Conservation Agency), and BAWUA (Bay Area Water Users Association) to develop plans, analyze systems, and complete critical infrastructure improvements and replacements to ensure reliable water service. *[2000 Staff Recommendation; Modified/2003 Public Works Staff Recommendation]*
- ~~(14)(15)~~ Request modification of California SB 709 and the Federal Clean Water Act to limit mandatory penalties and frivolous citizen lawsuits. *[LCC- 2001 #5]*
- ~~(15)(16)~~ Support efforts to negotiate with state and regional water quality control boards attainable discharge permits rather than only zero tolerance standards. *[LCC-2001 #4]*
- ~~(16)(17)~~ Urge the federal government, including FEMA and the Federal Insurance Administration, to amend the underwriting requirements to allow public water and wastewater treatment facilities to be eligible for flood insurance coverage at affordable rates. *[2002 NLC Resolution]*
- ~~(1718)~~ —Support legislation that requires the federal government to provide sufficient funds for clean up of estuaries and bodies of water. *[2004 NLC Resolution]*
- ~~(1819)~~ Support County-wide solutions for implementation of the Santa Clara Valley Water District's Clean, Safe Creeks and Natural Flood Protection Plan that respect the traditional land use authority of local government. *[Resolution No. 143-03, Staff Recommendation 2004, 2005 modified by staff]*
- ~~(1920)~~ —Oppose efforts to allow the permanent draining of Hetch Hetchy reservoir by breaching of O'Shaughnessy Dam, as suggested by several groups, including a group called "Restore Hetch Hetchy," due to the need to continue to provide the high quality of water available from San Francisco Public Utility Commission (SFPUC) at a reasonable price to over 2 million customers that is available due to the existence of the dam and reservoir. *[2005 staff recommendation]*

(2021) Support the San Francisco Public Utility Commission (SFPUC) in opposition to dramatic increases in the “rental fee” paid by SFPUC for the use of the Hetch Hetchy valley for the O’Shaughnessy Dam and Hetch Hetchy Reservoir. [2005 staff recommendation]

**(22) Support use of the Ahwahnee Water Principles for Resource-Efficient Land Use in making future land use decisions. [2005 LCC Resolution]**

*Explanation: Proposed flood flow and urban runoff management is consistent with the City’s direction and best practices for storm water programs/permits in terms of achieving infiltration rather than runoff, and providing for adequate storage of storm flows to prevent flooding and damage to creek banks. In terms of water usage/recycling, etc., these principles are also consistent with the City’s general direction, and thus, are appropriate and acceptable.*

### 3.2 Solid Waste Management

- (1) Oppose taxes or fees on local refuse programs to fund statewide programs. [\*]
- (2) Support the development of markets for recycled materials and products through methods such as procurement requirements, tax policies, and permit assistance, and support legislation to increase manufacturer minimum recycled content requirements. [1989 LCC and NLC Resolutions; Modified/2003 Public Works Staff Recommendation]
- (3) Support administrative and legislative decisions regarding the state beverage container recycling program that provide financial support for jurisdictions for local recycling programs. [1997 LCC Resolution]
- (4) Support eliminating local government liability under Superfund for the disposal of ordinary municipal waste; provide expedited de minimis settlements for hazardous material generated by local government operations; and allocate costs on the basis of toxicity rather than the volume of municipal waste. Superfund reform should also provide a level of protection to third party investors, lenders, and developers of brownfields sites. [1990 NLC Resolution]
- (5) Support federal legislation and legal appeals that would authorize state and local governments to use flow control ordinances, franchises and contracts to direct solid waste to specific transfer stations, landfills, and other solid waste management facilities. [1993 NLC Resolution; Modified 1998-December; Modified/2003 Public Works Staff Recommendation]
- (6) Support advance disposal fees (ADFs) on the purchase of hazardous household products, with revenues to help support local household hazardous waste management programs. [1995-staff suggestion]
- (7) Support cooperation between state and local jurisdictions on source reduction and recycling to meet state solid waste reduction goals. (AB 939) [First Appeared 1995]
- (8) Maintain federal and state financial support for beneficial use of landfill gas and other biomass energy. [1998-December-staff suggestion; Modified 2003 Public Works Staff Recommendation]
- (9) Support Federal legislation and legal appeals to clarify that solid waste and recyclable materials are not “property” as that term is used in the Federal Aviation Administration Authorization Act. [2001 staff suggestion/2003 Modified]
- (10) Support requirements that prohibit the disposal of radioactive materials along with municipal solid waste and release of radioactive materials into the recycling stream. [2001 staff suggestion]

- (11) Support removal of barriers to medical reimbursement for reusable products and services for Incontinent Medical Supplies. *[2001 staff suggestion]*
- (12) Support efforts to divert household “sharps” waste from disposal in the municipal solid waste stream and require vendors of sharps to take back and dispose of sharps that they sell, in order to protect the health and safety of the public and solid waste workers. *[2003 Public Works Staff Recommendation]*
- (13) Make businesses responsible for control of their own shopping carts. Require the use of removal prevention devices on carts to prevent their use beyond the limits of the business’ influence. Return the costs of shopping cart control to the businesses that create the problem by supplying shopping carts but refusing to install removal prevention devices. *[2003 Public Works Staff Recommendation]*

### **3.3 Sanitary Sewer System**

- (1) Support increased federal support for municipal wastewater infrastructure needs. *[2003 Public Works Staff Recommendation]*
- (2) Provide for the financing of the continual investigation and repair of deficiencies in the sewer collection system to prevent or eliminate infiltration, exfiltration, overloading of the Water Pollution Control Plant (WPCP) or the contamination of surface and ground water resources. *[2003 Public Works Staff Recommendation]*

### **3.4 Surface Runoff**

- (1) Support reduced pollutant loads in runoff and develop a risk-based approach to storm water permitting and management (NPDES). *[1990 NLC Resolution]*
- (2) Support intergovernmental efforts to address the danger of tidal flooding, and encourage federal study of the issue for the San Francisco Bay. *[1998-December-Council suggestion]*
- (3) Support efforts to mitigate fresh water flooding. *[1998-December Council suggestion]*
- (4) Oppose any efforts to include numerical limits for pollutants in permits for storm water discharges and to modify California State law and/or regulations to allow for the development of numerical effluent limits for incorporation into stormwater permits. *[2003 Public Works Staff Recommendation, 2006 Public Works staff recommendation]*  
*Explanation: This change was included to clarify the original City position*
- (5) Support efforts to exempt storm water utility fees from requirements of Proposition 218. *[2005 staff recommendation]*

### **3.5 Energy**

- (1) Support state and federal actions allowing for diversity of new fuels research, development and application, including the promotion of technical improvements in current energy sources and increased fuel efficiency standards for mobile sources. *[1989 LCC Resolution]*
- (2) Support the development and use of alternatives to conventional motor vehicle transportation fuels; support the involvement of local governments in efforts to identify and define markets for alternatively-fueled vehicles. *[First Appeared 1998-January]*
- (3) Encourage efforts to reduce energy consumption through the application of available technologies in the field of traffic signal control and street lighting. *[First Appeared 1993]*

- (4) Support solar and energy conservation tax credits. [\*] *[Modified/2003 Public Works Staff Recommendation]*
- (5) Support cities' efforts to implement cost-effective energy efficiency standards that also consider air pollution impacts whenever possible for buildings, industry and the transportation sector that would substantially reduce the consumption of energy. *[First Appeared 1992]*
- (6) Support the adoption of a national comprehensive energy strategy that includes energy conservation, education, research and development of renewable and alternative energy sources, and encourages reduced dependence on foreign oil and the use of domestic energy sources. *[First Appeared 1992]*
- (7) Encourage the participation of local governments in the development, deployment and commercialization of energy efficiency and renewable energy technologies. *[First Appeared 1992/Modified 1998-December]*
- (8) Support a review of electric utility deregulation to assure reliability, consistency and reasonable pricing. *[1996 NLC Resolution]*
- (9) Support the State and California Public Utilities Commission to develop and implement a plan for the underground conversion of overhead utility lines within the next 25-years. *[2002 LCC Resolution]*

(10) Council opposed November 2005 Ballot Initiative-Prop 80, electric service provider regulation. The measure attempted to subject electric service providers to regulation by California's Public Utility Commission, restrict electricity customers' ability to switch from private utilities to other providers and require all retail electric sellers to increase renewable energy resource procurement by 2010. [2005 Ballot Initiative-Prop 80]

*Explanation: Council adopted position of opposition to 2005 Ballot Initiative-Prop 80 on October 25, 2005.*

### 3.6 Noise

~~(1)~~ **Support the retention of citizens' right to sue airports for noise impact.** ~~[\*/2003 Moved to current section]~~  
*Explanation: Not necessary to have this policy. This would be a private matter between citizens and airports.*

~~(2)~~(1) Encourage airport operation policies that reduce the level and frequency of noise and support federal funding to alleviate the effects of aircraft noise. ~~[\*/2003 Moved to current section]~~

~~(3)~~(2) Support funding for highway-rail grade separations and railroad noise attenuation crossings ~~and oppose reduction in local authority to regulate train whistle use within city boundaries.~~ *[2002, 2003 & 2004 NLC Resolution/2003 Moved to Current Section, 2005 modified by staff, 2006 Public Works staff recommendation]*

*Explanation: Federal rules on train whistles were strengthened in 2005 to give local agencies greatly improved authority. Grade separations, not grade crossings, reduce noise. There are no identified funding sources for railroad noise attenuation, and railroad noise is a community concern.*

~~(4)~~(3) Engage the Peninsula Corridor Joint Powers Board to assure that local noise conditions do not worsen as a result of changes to commuter train operations, and impacts are mitigated consistent with regulatory requirements. *[Staff recommendation based on Council action 1/11/05]*

- (4) Urge Congress to oppose reauthorization of the Surface Transportation Board (STB) unless and until the law is amended to ensure that railroads are subject to the same federal, state, and local environmental laws under which interstate highways and airports must abide that provide the opportunity for mitigation of negative impacts of new or enhanced facilities and/or operations. [2006 NLC Resolution]**

### 3.7 Air Quality

- (1) Continue to support Bay Area cities, counties, regional agencies and districts vehicle license fee subventions for air pollution control programs. **Support use of vehicle license fee subventions for a broad range of air quality improvement programs.** [First Appeared 1991/Modified 1998-January/2003 Modified, **2006 Public Works staff recommendation**]  
*Explanation: The Bay Area Air Quality Management District has taken steps to tighten criteria for funding of bicycle, pedestrian, and arterial management projects, for which the City has significant needs. These projects are a primary method for the City to address air quality, and making funding more difficult puts the City at a disadvantage for competing for funds.*
- (2) Support requiring local government participation on the governing bodies of unified and county air pollution control districts in California. [First Appeared 1992]
- (3) Support prohibiting the use of ozone-depleting methyl bromide for any reason. [First Appeared 1993]
- (4) Oppose redirecting state and regional revenue used by local government for locally based air quality programs. [1996 LCC Resolution, 2005 modified by staff]
- (5) Support cost-effective emission reductions from regional and national air pollution sources and encourage controls on international sources. [1997 LCC Resolution, 2005 modified by staff]
- (6) Support actions for meeting ambient standards for air and noise pollution emissions. [1991 LCC Resolution/Modified 1994/2003 Modified]
- (7) Support efforts to manage and reduce risks from air toxics.[First Appeared 2003]
- (8) Support federal legislation that requires the federal government to provide sufficient funds to remediate or otherwise relieve identified problems with indoor air quality in schools. [2003, 2004 NLC Resolution]
- (9) Support efforts to improve or strengthen regional and local regulation of mobile source emissions. [2003 Public Works Staff Recommendation]
- (10) Support efforts to improve regulation of greenhouse gases. [2005 **Public Works** staff recommendation]

## 4. PUBLIC SAFETY

### 4.1 Law Enforcement

- (1) Support legislation that limits the availability of high capacity weapons and ammunition. Encourage stricter sentences for convictions involving firearms use. Support requiring locking devices on firearms and stricter gun control legislation to ensure adequate safeguards prior to purchases. [1993 LCC Resolution]

## ATTACHMENT A

- (2) Support local regulation for public health, safety, and welfare to assist localities in controlling sexual material and prostitution in support of the state law. [*\*/Modified 1998-December*]
- (3) Support efforts to enhance response to domestic violence incidents, including allowing local agencies to destroy or retain firearms or deadly weapons involved in such incidents. [*\*/Modified 1994/2006 LCC Resolution*]
- (4) Support requirements for persons committing driving violations to be financially responsible for enforcement, and support surcharges on criminal sentences to pay for lab services and booking fees. [*\*/Modified 1994*]
- (5) Support adequate financing of jails and criminal justice facilities but address the need to devote equal time and energy to develop effective alternatives to incarceration, including early intervention of at-risk youth and counseling and rehabilitation programs. Oppose eliminating the option of incarceration for first time drug offenses. [*1989 LCC Resolution*]
- (6) Require any person, who is released on probation, parole, conditional sentence or suspended sentence on the condition that he/she participate in a drug or alcohol abuse program, to participate in a licensed residential or out-patient treatment facility. [*1997 LCC resolution*]
- (7) Support mandatory training on the operation of motorcycles for all registered owners of such vehicles. [*First Appeared 1991*]
- (8) Support a coordinated and cooperative program between the courts and US Citizenship and Immigration Services to identify and deport illegal immigrants convicted of felonies in the State of California, either after they have served their sentence or with the understanding they will be incarcerated in their home country. Support federal reimbursement to local agencies for cost of incarcerating criminal illegal aliens. [*1990 & 1996 LCC Resolutions/Modified 1995*]
- (9) Support the ability of local government to benefit from federal adoptive seizure programs for drug-related enforcement and educational purposes. Oppose measures to modify or restrict forfeiture and seizure laws for drug arrests. [*1990 NLC Resolution*]
- (10) Support efforts to ensure that all court levied penalties are not applied in a racially discriminatory manner. [*1990 NLC Resolution*]
- (11) Support requirements for specified airline industry employees to report the presence of drugs or large quantities of cash during lawful inspections at security check points. [*1990 NLC Resolution*]
- (12) Oppose efforts to enact a federal Police Officers' Bill of Rights (the City is already covered by state law). [*1993 NLC Resolution*]
- (13) Support special restrictions and requirements with respect to indeterminate sentencing, parole, and release for convicted criminals. [*1994 LCC Resolution*]
- (14) Maintain a “zero tolerance” for hate crimes and vigorously investigate hate crimes that occur. [*1997 Council suggestion*]
- (15) Support programs that deter graffiti. [*First Appeared 1998-January*]
- (16) Support efforts to promote city-sponsored programs to educate citizens concerning the social costs of allowing their pets to breed and to restrict indiscriminate breeding through permit systems, licenses, fines, spaying and neutering. [*Added 1992 to an existing policy*]



## ATTACHMENT A

- (17) Support programs and efforts aimed at assisting with the clean-up of abandoned vehicles and protect City's right to impose abandoned vehicle fees. [*\*/Modified 1994/clarification 2001*]
- (18) Oppose the legalization and or decriminalization of all controlled substances. [*\*/2001 clarification*]
- (19) Support efforts to provide local law enforcement all necessary tools for investigation and prosecution of suspected felonies, including access to encryption as appropriate. [*1998-December-staff suggestion*]
- (20) Support providing local government the ability to double fines for traffic violations in school zones. [*2000 LCC Resolution*]
- (21) Support federal and state sponsored studies to determine as quickly as possible the safety of using cell phones while operating motor vehicles. [*2001 staff suggestion*]
- (22) Urge the federal government and transportation agencies and companies to take immediate action to enhance security practices. [*2002 NLC Resolution*]
- (23) Request federal resources to mitigate local government cost to respond to terrorist threats. Balance the cost of security against terrorist threats with ongoing needs for water and wastewater infrastructure. [*2002 NLC Resolution*]
- (24) Support efforts to enhance 911 services to reduce time required for locating and processing wireless 911 calls. Request funding for wireless emergency locator services. [*2002 NLC Resolution*]
- (25) Urge the federal government to assist municipalities in funding and training for public health risks resulting from terrorist acts. [*2002 NLC Resolution/ 2003 Modification*]
- (26) Support a strong intergovernmental partnership that ensures effective communications, long-term financial support to municipalities for their roles in national defense, and true collaboration in preventing and responding to any acts of terrorism in America's cities and towns. [*2003/2006 NLC Resolution*]
- (27) Support efforts by Congress to assist state and local governments with developing and funding integrated criminal justice information systems. [*2002, 2003, 2004, 2006 NLC Resolution*]
- (28) Support the "Extradition Treaty" (1980) be revised to resolve the issue of extradition of those suspected of committing violent crimes against people in the United States. [*2002, 2003, 2004, 2006 NLC Resolution*]
- (29) Support efforts by Congress to restore the State and Local Law Enforcement Block Grant to full funding. [*2003 NLC Resolution*]
- (30) Support efforts by Congress to restore the State Criminal Alien Assistance Program to full funding. [*2003 NLC Resolution*]
- (31) Support the national AMBER plan. [*2003 NLC Resolution*]
- (32) Support legislation that provides supplemental funding to cities for local law enforcement programs (i.e. Supplemental Law Enforcement Services, SLES) [*2003 Public Safety Staff Recommendation*]

- (33) Oppose the Criminal Alien Removal Act of 2003 (The Clear Act). Oppose legislation requiring local police to be responsible for the enforcement of federal immigration laws. If the federal government requires that local law enforcement work as immigration officers, the federal government must pay all associated expenses. [2004/2006 NLC Resolution]
- (34) Support resolving interoperability problems that affect emergency communications systems, remedying the current shortage of broadcast spectrum availability for public safety needs, and providing funding for interoperable equipment. [2004/2006 NLC Resolution]
- (35) Support a nationally coordinated effort to target methamphetamine production and abuse involving federal, state and local law enforcement and support federal resources dedicated to curbing the production and distribution of methamphetamine. [2006 NLC Resolution]
- (36) Encourage the federal government to provide grant money for community-based intervention and treatment programs focusing on the areas of housing, education, mental health treatment, substance abuse counseling, employment opportunities and health care. [2006 NLC Resolution]

#### 4.2 Fire Services

- (1) Promote fire-safe construction methods to reduce injuries and fire loss. [1989 LCC Resolution/2001 simplification]
- (2) Prohibit sales and use of all fireworks except those approved for commercial use. [\*/2001 simplification]
- (3) Support ongoing funding for reimbursable State Fire Training Programs. [1990 LCC Resolution/2001 simplification]
- (4) Support increasing the role of cities in selecting, monitoring and providing emergency medical services. [1997 LCC Resolution/2001 simplification]
- (5) Support current requirements and funding for agencies providing mutual aid in emergencies. [\*]
- (6) Support legislation deleting organ donor verification searches by first responders. [1993 LCC Resolution/2001 clarification]
- (7) Oppose adoption of staffing, response time, or other standards for fire or medical services that would preempt local authority to set appropriate standards. [2002 NLC Resolution]

#### Hazardous Materials

- (1)(8) Support community safety through regulation of hazardous materials transportation and storage consistent with local regulations, with advance local notification and funding for local hazardous spill response. [\*]
- (2)(9) Support proper management and controls on hazardous materials and waste products, while allowing local flexibility for alternative compliance methods. [\*]
- (3)(10) Support adequate funding for toxic substance clean-up. [\*/Modified 1991 NLC Resolution/2001 Simplification]
- (4)(11) Support consolidation of regulatory programs at the local level and limit actions on local government liability in implementing mandates in regard to toxics control. [\*/2001 Clarification]

- | ~~(5)(12)~~ Support optional involvement of local government in abatement of hazardous materials with appropriate liability immunities. [\*]
- | ~~(6)(13)~~ Support state reorganization of hazardous materials abatement emphasizing Regional Water Quality Control Boards as having primary responsibilities. [\*]
- | ~~(7)(14)~~ Support continued clean-up of former military and other federal properties consistent with the General Plan and established zoning on adjacent property. Support federal legislation to allow the federal government to expeditiously sell or lease environmentally safe areas/parcels of closed military bases and other federal properties to local communities or the private sector; allow for transfer of contaminated parcels while clean-up proceeds, provided it can be done safely; indemnify purchasers/lessors provided they don't continue to add to the contamination; and emphasize and/or enhance existing regulations and funding which hold the federal government responsible for clean-up of hazardous waste on a timely basis. *[First Appeared 1993/Modified 1996/2001 clarification/2003 Modification]*.
- | ~~(8)(15)~~ Request priority assistance from state and regional agencies which must approve removal of toxic substances or provide remedial plans for hazardous waste sites when the condition was caused by a previous owner of the property. *[1989 LCC Resolution]*
- | ~~(9)(16)~~ Oppose requirements for cities and counties to develop and maintain land-use histories on all commercial or industrial property where toxic or hazardous materials have been utilized. *[staff suggestion, 2000]*

#### 4.3 Support Services

- (1) Support efforts to ensure protection of sufficient radio spectrum to meet public safety's current and future needs. Public safety needs should have priority over private or for-profit communication systems. *[1998 NLC Resolution]*
- (2) Support legislation that provides funding mechanisms to local governments to pay public safety communication system upgrades or changes mandated by the Federal Communications Commission. *[1998-December-staff suggestion]*
- (3) Support legislation that protects the current amateur radio bandwidth within the radio spectrum to ensure amateur radio communications support during disasters. *[1998-December-staff suggestion]*
- (4) Support the use of low earth orbiting satellites when those systems will not cause interference to public safety communications systems or their supporting amateur radio communications systems. *[1998-December-staff suggestion]*
- (5) Support legislation that requires developers to fund the costs of radio communications infrastructure upgrades to allow emergency communications within new buildings or structures. *[1998-December-staff suggestion]*
- (6) Support efforts to require local dial tone providers to maintain 24 hour contact numbers for Public Safety emergency phone traces. *[1998-December-staff suggestion]*
- (7) Support legislation that requires that local competitive dial tone providers to display exact locations rather than global addressing for all users including PBX (Private Branch Exchange) users within their ALI (Automated Location Information) database accessed by 911 Centers. *[1998-December-staff suggestion]*

- (8) Support collaborative efforts to enhance emergency preparedness planning, coordination and disaster mitigation, particularly to the extent any such effort can be located at the Moffett Federal Complex and/or compliment the tenants at Moffett. *[Council action in September, 2000/2006 NLC Resolution]*
- (9) Support State legislation/funding that enhances Public Safety officer's training in the areas of ethics and conduct. *[Staff Recommendation, 2001]*
- (10) Oppose FEMA regulations regarding insurance for public buildings unless a comprehensive cost-benefit analysis of the availability, affordability and insurance market capacity is conducted and local concerns are addressed. Ensure that local governments are consulted and their issues considered and resolved prior to any changes in federal insurance requirements. *[NLC-2000 & 2002 Resolution]*
- (11) Urge the federal government to work collaboratively with local governments to increase security of telecommunications infrastructure to remotely control water, power facilities, and other public utility systems that may be targets of terrorism. *[2002 NLC Resolution]*
- (12) Encourage creation of a "Coordinator for Public Protection and Safety Communication" within the office of the U.S. Secretary of Homeland Security. Urge implementation of the recommendations of the Public Safety Wireless Advisory Committee Report (1996). *[2002 NLC Resolution]*
- (13) Support efforts to secure funding for hazardous materials equipment and training that reduce occupational health issues associated with methamphetamine lab seizures and clean up. *[2002, 2003, 2004 NLC Resolution]*
- (14) Encourage prompt reimbursement of approved disaster recovery expenses by FEMA to cities determined to be part of a declared disaster area. *[2002 NLC Resolution]*
- (15) Support 311 services – non-emergency direct line to Department of Public Safety. Support is limited to situations where all surrounding cities adopt it. Otherwise particular legislation must address our processing, cost, privacy and misdial concerns. *[2001, Study Issues Recommendation/2003 Modification]*
- (16) Support remedying the current shortage of broadcast spectrum availability. Support adequate funding for interoperable equipment to better coordinate emergency response. *[2004 NLC Resolution]*
- (17) Support the improvement of the Homeland Security Advisory System (HSAS) and consolidate it with the Emergency Alert Systems (EAS). Support federal funding to local governments to cover costs associated with heightened threat levels. *[2004 NLC Resolution]*
- (18) Support an extension of Terrorism Risk Insurance Act (TRIA) and a continued federal role in terrorism insurance. [2006 NLC Resolution]**
- (19) Urge the Department of Homeland Security to streamline the application process to facilitate rapid designation/certification of mission critical anti-terrorism technology that is being considered by local government. [2006 NLC Resolution]**
- (15) Support efforts to provide swift and efficient resources to state and local governments when natural or man-made disasters strike, as well as efforts to promote social and economic sustainability in times of crisis within states and localities. [2006 NLC Resolution]**

## 5. SOCIO-ECONOMIC

## ATTACHMENT A

- (1) Support mandates to provide benefits to domestic partners equal to those provided to married couples. [1989 LCC & NLC Resolution/2001, Simplification, 2005 modified by staff based on Council action 1/11/05]
- (2) Support community and county government efforts to encourage legal immigrants to become United States citizens. [Council RTC 97-262]
- (3) Oppose cutting off education, health, and social services to undocumented immigrants and requiring educators, health care providers, and public safety officials to report suspected illegal aliens to federal authorities. [1994 Ballot Initiative Prop]
- (4) Oppose legislation restricting state and local governments from collecting or using information on a person's race, ethnicity, color, or national origin for the purposes of public education, public contracting, public employment, and other government operations. [October 2003 Ballot Initiative – Proposition 54]
- (5) Support federal and state funding to assist with implementing 2-1-1, the three-digit phone code that was designated in 2000 by FCC to be exclusively used for information and referral for health and human services. [Council Resolution; RTC 03-109]
- (6) Urge Congress to recognize the traditional state and local authority regarding marriage. [2005/2006 NLC Resolution].

### 5A. Demographics and Neighborhoods

#### 5B/C/D. Economy and Employment

- (1) Provide county government with the maximum flexibility to design welfare-to-work programs that address unique local circumstances that remove potential barriers to entry into the job market for assisted individuals and increase their learning potential. [Council RTC 97-262]
- (2) Support coordinated economic development efforts to increase employment opportunities and increase quality of jobs including coordination with the existing employment and training resources funding. [\*/Modified in 1998-July and December; Modified/2003 Community Development Staff Recommendation]
- (3) Support development of U.S. congressional legislation to approve funding to continue the School-to-Work Opportunities Act. [2003, 2004 NLC Resolution]

#### 5E/F. Education and Training

- (1) Support education and training programs at all educational levels (high school, undergraduate and graduate, and adult re-entry programs) that increase access and competitiveness for high technology jobs and develop new job fields—developed. [\*/Modified 1998-January/2001, Clarification, 2006 NOVA and Community Development staff recommendation]  
*Explanation: Support future jobs with new training programs.*
- (2) Oppose school voucher plans that provide funding to private and parochial schools if they weaken the public school system. [1993 Ballot Initiative-Prop. 174]
- (3) Support expanding the use of interactive technologies for lifelong learning and education. [1993 LCC Resolution]

- (4) Support expanding employment training services for dislocated workers and expand eligibility for such services. Provide funding to alleviate immediate needs of dislocated workers; strengthen commitment to existing programs that provide for transitional workers. [1989 NLC Resolution/2002 NLC Resolution]
- (5) Support a coordinated strategy to improve employer access to employment training, and federal and state initiatives that augment local autonomy on employment training (retain the strong role of the chief elected officials and Workforce Investment Boards). [1993 LCC & NLC Resolutions/2001 modification]
- (6) Support greater flexibility and simplicity in administrative procedures and increased state and federal appropriations for and client access to adult education, job training, job retention, employment support and welfare programs. [Council RTC 97-262, 2005 modified by staff]
- (7) Support federal reimbursement to local school districts for up to 40 percent of the costs of special education programs mandated by federal law. [2002, 2003, 2004 NLC Resolution]
- (8) Support reauthorization of the Workforce Investment Act and urge Congress to fully fund the Act's employment and training programs. [2003, 2004, 2006 NLC Resolution]

~~(9) Oppose the General Government provision (GG23) of the California Performance Review Report (CPR) that calls for the consolidation of local workforce investment areas from 50 to between 20 and 30. [2005 staff recommendation]~~  
*Explanation: The GG23 provision is no longer being considered for adoption as part of implementation of the California Performance Review Report recommendations.*

~~(10)~~(9) Support increased funding for local labor market research that ensures a demand-driven local workforce investment system has timely and relevant information on workforce trends. [2005 staff recommendation]

~~(11)~~(10) Support increased flexibility and resources for the local community college system that will enhance retraining of the dislocated worker adult population. [2005 staff recommendation]

(11) Support the standardization of prerequisite requirements and enhanced flexibility and resources for higher education's nursing programs to facilitate increased graduation and certification of nurses and the elimination of the nurse workforce shortage. [2006 NOVA staff recommendation]

*Explanation: Over the past several years, there has been a growing need for nurses to address the demand for quality health care in hospitals and other medical facilities, and insufficient resources in place to respond to this demand. This need has been further compounded by legislation passed several years ago that calls for minimum nurse/staff-to-patient ratios in hospitals and skilled nursing facilities. In order to address this workforce shortage more flexibility and resources are necessary to streamline the graduation and certification of nurses.*

(12) Support increased flexibility and resources for an allied health initiative, a collaborative of NOVA and neighboring workforce investment boards, local hospitals, the Hospital Council, higher education and the NASA Ames Research Center, among others to address the current nurse workforce shortage and other allied health occupations experiencing shortages in the future. [2006 NOVA staff recommendation]

*Explanation: Educators, health care providers and the workforce development community must work together to facilitate an effective and efficient continuum of education and training programs to better address the nurse workforce shortage and future shortages in allied health occupations impacting the health and well being of this community.*

- (13) Council opposed November 2005 Ballot Initiative-Prop 74, public school teacher waiting period for permanent status and dismissal. The measure attempted to increase the probationary period for public school teachers from two to five years and modify the process by which school boards can dismiss a teaching employee who receives two consecutive unsatisfactory performance evaluations. [2005 Ballot Initiative-Prop 74]

*Explanation: Council adopted position of opposition to 2005 Ballot Initiative-Prop 74 on October 25, 2005.*

## 5G/H.Health and Social Services

- (1) Support community-based efforts to develop health education and training programs for the general public, local officials and city employees. [*\*Modified 1995*]
- (2) Support State and national health programs to ensure all citizens have adequate coverage at an affordable cost, incorporating the principles of simplicity and local flexibility, without making the employer solely responsible for funding the program. Oppose "single-payer" healthcare proposals. [*First Appeared 1989/Modified 1994/2006 NLC Resolution*]
- (3) Support full or partial state funding of general welfare assistance program. [*Council RTC 97-262*]
- (4) Support efforts to improve the health of California's children, including preventive health check-ups, immunizations, and prenatal care. [*1995-staff suggestion*]
- (5) Oppose legislation that would require tax-exempt hospitals to provide specified levels of charity care and care to Medicaid and Medicare patients in order to keep that tax-exempt status. [*First Appeared 1998-January*]
- (6) Support efforts to improve and increase funding for mental health programs and services which would not negatively impact City budgets or revenues. [*1990 LCC Resolution*]
- (7) Oppose measures aimed at requiring doctors, blood banks and others to report to local health officers any patients and blood donors whom they reasonably feel have been exposed to AIDS or who have tested positive for it. [*1988 Ballot Initiative-Prop. 102*]
- (8) Support funding for AIDS programs and research, and support the expansion of Medicaid for low-income HIV-infected persons. [*1990/2006 NLC Resolution*]
- (9) Encourage stores selling tobacco products to remove advertising and promotions that are near candy and to remove tobacco advertising that is below counter level. [*Council RTC 96-111*]
- (10) Support funding to allow for the expansion of the federal Head Start program to all eligible children. [*1989/2006 NLC Resolution*]
- (11) Support efforts to increase the availability and affordability of child-care, including economic incentives for cities that develop child care facilities. Support efforts to better coordinate local government and private agencies' children's services. [*1989 LCC & NLC Resolutions/1993 LCC Resolution*]  
*Explanation: Grammar modification.*
- (12) Support the establishment of quality standards for child-care providers and programs. [*1989 NLC Resolution/Modified in 1993, 1995 and 1998-December*]  
*Explanation: Grammar modification.*



## ATTACHMENT A

- (13) Support funding of the Child Care and Development Block Grant program (federal funds allocated to subsidize child care needs). [1989 NLC Resolution/Modified in 1993, 1995 and 1998-December]
- (14) Support increased elder care at the local level, including family leave policies, development of adult day-care facilities, and transitional housing for victims and those at risk of elder abuse. Support efforts to expand the availability of family-centered adult day-care facilities and intergenerational care facilities. [1990 LCC Resolutions]
- (15) Support legislation to prohibit or further restrict the manufacture and sale of certain fortified wine products, and support strengthening comprehensive alcohol detoxification, prevention, recovery and rehabilitation programs. [1989 LCC Resolution]
- (16) Support the continuance of the availability of medical and food stamp benefits for all current legal immigrants meeting the needs test. [Council RTC 97-262]
- (17) Support the Food Stamp Program, the School Breakfast and Lunch Program, the WIC Program, senior nutrition programs, and support services for homeless families. [First Appeared 1992/Modified 1995]
- (18) Oppose cuts in CALWORKS payments and cutting off additional grants for children conceived while the family is on welfare. [First Appeared 1993/Modified 1998-July]
- (19) Support extending the eligibility period for food stamps for unemployed single adults 18-50 who are making a good faith effort to find employment from three months in a three year period. [Council RTC 97-262]
- (20) Support the reinvestment of cost savings from the redesigned state welfare system into employment services and other services that transition people from welfare to work and augment self-sufficiency. Support the funding and implementation of welfare-to-work programs that include the following kinds of activities: [Council RTC 97-262]
  - a. job creation through public or private sector wage subsidies;
  - b. on-the-job-training;
  - c. contracts with job placement companies or public job placement programs;
  - d. job vouchers; and/or;
  - e. job retention or support services.
- (21) Support reauthorization of funding for Temporary Assistance for Needy Families (TANF). [2002, 2003, 2004, 2006 NLC Resolution]
- (22) Support the use of state Proposition 10 funds (tobacco tax funds), for the development or enhancement of educational and social services for the prenatal through five population and their families. [First Appeared 2003]  
*Explanation: Corrected typo.*
- (23) Support childcare providers having a voice in the development of potential Universal Preschool legislation. [2003 Office of the City Manager Staff Recommendation].
- (24) Support Universal Preschool legislation that requires the provision of free, voluntary preschool for all four-year olds, provided that the legislation does not have a negative financial impact on the City of Sunnyvale. [Council action 11-1-05 RTC05-326]
- (24)(25) Support El Camino Hospital District plans to issue bonds, payable from the proceeds of a tax levied on taxable property within the District, to make seismic upgrades to El Camino Hospital, and to expand and enhance emergency and other hospital facilities. [November 2003 Ballot Initiative – Measure D]

~~(25)~~(26) Support Congressional action to rectify the current Medicare payment formula inequities and reduce geographic disparities. [2004 NLC Resolution]

*Explanation: Corrected typo.*

~~(26)~~(27) Support the Administration's goal to end chronic homelessness in the United States in 10 years. [2004/2006 NLC Resolution]

~~(27)~~(28) Support legislation that requires the federal government to increase funding ~~by \$4.5 billion~~ for the "No Child Left Behind" Act. [2004 NLC Resolution/ 2006 Modified by OCM staff]

**(28) Support childcare related legislation that:**

- Provides funding targeted to address the child care needs of low-income individuals;
- Establishes demonstration projects to test alternative child care delivery models;
- Establishes employer incentives, such as tax credits to encourage employers to share in providing child care for employees;
- Provides adequate funding of existing child care programs, including appropriate cost-of-living increases;
- Establishes the public school system as the primary delivery agent of state-sponsored child care programs;
- Establishes quality child care programs by appropriate regulations to protect health and safety, but minimizes regulatory obstacles;
- Provides incentives to increase the quality and wages of child care workers.
- Advocate for and support measures to encourage and involve industry in providing child care and/or child care benefits to their employees.

*Explanation: Relocated to be with other childcare LAPs and clarified legislation.*

~~(29)~~(28) Support improved healthcare benefits and services for Hispanics. [2005/2006 NLC Resolution]

~~(30)~~(29) Urge the federal government to work diligently to reduce the cost of prescription drugs, including finding a safe and reliable way for U.S. citizens to obtain prescription drugs from sources outside of the United States. [2005/2006 NLC Resolution]

**(31) Council opposed November 2005 Ballot Initiative-Prop 78, discounts on prescription drugs. The measure attempted to establish a discount prescription drug program for certain low – and moderate-income Californians and authorize the Department of Health Services to contract with participating pharmacies for discounts and with participating drug manufacturers for rebates. [2005 Ballot Initiative-Prop 78]**

*Explanation: Council adopted position of opposition to 2005 Ballot Initiative-Prop 78 on October 25, 2005.*

~~(30)~~ (32) Support legislative efforts to develop State or National health insurance programs designed to assure that all citizens have an adequate form of health insurance available at an affordable cost. Legislation drafted to develop such a program must recognize the following principles:

- The responsibility for funding the program should not be the major responsibility of employers. It is understood that there may be some additional costs that employers must share in order to establish the program, but employers should not be called upon to share the major burden for funding the program.
- The program should encourage competitiveness among the insurance companies in the private marketplace.

- The benefits mandated under the program should be limited to basic major medical care and preventive medicine. Additional options may be available, but not mandated.
- The program should not interfere with the existing collective bargaining process, and the legislation must take this relationship into account.
- Where an employment relationship is involved, employees should be required to match an employer's contribution, unless a collective bargaining agreement states otherwise. Where an employee is unable to pay, State or Federal funds should subsidize the employee's costs.
- Employers should not be required to cover at their expense occasional, part-time employees or seasonal employees who work less than 12 consecutive weeks and less than an average of 17 1/2 hours per week. The specific thresholds that define who must be covered may differ from this statement somewhat, but the intent is to limit those employees that employers are required to cover to a reasonable standard. The availability of part-time employment must be protected.
- The legislation should take into account dual employment relationships and, if possible, not require family members to be covered by more than one employer. *[Adopted: RTC 88-021 (1/12/1988), Previously Legislative Policy 5.1.5 – State or National Health Insurance Programs, 2005 staff incorporated Legislative policy into Legislative Action Positions]*

~~(31) Support legislative efforts that:~~

- ~~• Provides funding targeted to address the child care needs of low-income individuals;~~
- ~~• Establishes demonstration projects to test alternative child care delivery models;~~
- ~~• Establishes employer incentives, such as tax credits to encourage employers to share in providing child care for employees;~~
- ~~• Provides adequate funding of existing child care programs, including appropriate cost-of-living increases;~~
- ~~• Establishes the public school system as the primary delivery agent of state sponsored child care programs;~~
- ~~• Establishes quality child care programs by appropriate regulations to protect health and safety, but minimizes regulatory obstacles;~~
- ~~• Provides incentives to increase the quality and wages of child care workers.~~

~~(32) The City will advocate for and support measures to encourage and involve industry in providing child care and/or child care benefits to their employees.~~

*Explanation: Moved to include with item 28.*

(33) Council opposed November 2005 Ballot Initiative-Prop 73, waiting period and parental notification before termination of a minor's pregnancy. The measure attempted to amend California's Constitution, defining and prohibiting abortion for an unemancipated minor until 48 hours after a physician notifies minor's parent/guardian, except in medical emergency or with parental waiver; mandate reporting requirements and authorize monetary damages against physicians for violation. [2005 Ballot Initiative-Prop 73]

*Explanation: Council adopted position of opposition to 2005 Ballot Initiative-Prop 73 on October 25, 2005.*

(34) Support federal legislation that creates pilot health Information Technology (IT) networks while protecting patient security and privacy, and support health information technology that ensures systems are developed to use new information capabilities to improve outcomes and decrease health care costs. [2006 NLC Resolution]

**5I/J. Human Service Planning and Policy**

- (1) Support formal relationships with schools, non-profit agencies, the business community and other government organizations to assess human service needs. [*First Appeared 1993*]
- (2) Support funding of programs dedicated to the prevention of child abuse. [*Council RTC 97-205*]
- (3) Support the provision of foster care and adoption benefits to legal immigrants during the first five years after arriving in the United States. [*Council RTC 97-262*]
- (4) Support the establishment of state assistance eligibility and time limits that are no more restrictive than those of the federal government. [*Council RTC 97-262*]
- (5) Support the development of a comprehensive statewide youth service plan without duplication and increased funding to cities for expansion of services for teen youth. [*First Appeared 1993/Modified 1994 LCC Resolution*]
- (6) Support reauthorization of the Older Americans Act including an allocation increase proportional to the increase in the older population and a provision for greater eligibility of cities to apply for OAA funding. Support efforts to enhance minority participation in Older Americans Act services. [*1990 LCC & NLC Resolutions*]
- (7) Support the initiation and expansion of local volunteer programs as an efficient means of maximizing public safety. [*2002 LCC Resolution*]  
*Explanation: Corrected typo.*

**6. CULTURAL****6.1 Recreation**

- (1) Support efforts to ensure resources are available to perform background checks (ie: fingerprinting) of volunteers and coaches working directly with school aged children in order to enhance the participant's safety. [*2003 Parks & Recreation Recommendation*]

**6.2 Library**

- (1) Support full funding for the State Public Library Fund. [*\*/Modified 1994*]
- (2) Support the "Library Bill of Rights" as established by the American Library Association. [Adopted in Library Sub Element, 2003; *2003 Library Staff Recommendation*]
- (3) Support collaborative and innovative efforts to provide effective public library services with stable funding. [*1995-staff suggestion/Modified 1996*]
- (4) Support efforts to work with the federal government and private-sector partners to enhance SCI<sup>3</sup>, the patent and trademark library. [*1996-staff suggestion*].
- (5) Support cooperative efforts between public libraries, educational agencies, civic organizations, individuals, and the business community to promote literacy and greater support for local education library programs. [*fFirst Appeared 1993/mModified 1995/2006 Library staff recommendation*]
- (6) Support adequate funding and reauthorization of the Library Services and Technology Act (LSTA.) [*2001, Staff recommendation*]

- (7) Actively monitor and oppose any state or federal mandate that restricts open access to information [in any format]. Oppose federal government programs that direct libraries to provide filtering for Internet access. [2001, Modification/ 2002 NLC Resolution/]
- (8) Actively monitor and oppose legislation that jeopardizes the confidentiality of library patron information, including certain provisions of the USA Patriot Act. Support the U.S. campaign against terrorism and affirm a commitment to the U.S. Constitution and respective state constitutions while urging the U.S. Congress to amend the PATRIOT ACT in order to restore and protect our nation's fundamental and inalienable rights and liberties. [2003 Library Staff Recommendation; 2004 Modification, 2005 modified by staff/2006 NLC Resolution]
- (9) Support full funding for the reimbursement by the state of net direct loans by the Sunnyvale Public Library. [First appeared in 1994; ~~re~~Readed, ~~in 2003~~; 2003 Library Staff Recommendation; 2006 Library staff recommendation]
- (10) **Support the United States Patent and Trademark Office (USPTO) efforts to streamline and simplify the application process of applying for and obtaining protection for new patents or trademarks. [2003 Library Staff Recommendation]**  
Explanation: Council directed staff to not delete items 6.2 Library, 10 and 11 during the January 10, 2006 Council meeting.
- (11) **Support the USPTO efforts to retain 100% of the fees collected for its services [2003 Library Staff Recommendation]**  
Explanation: Council directed staff to not delete items 6.2 Library, 10 and 11 during the January 10, 2006 Council meeting.
- (12) Support passage of the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2006. [2004 Library Staff Recommendation]

### 6.3 Heritage Preservation

- (1) Support State and Federal funding for development and/or operation of the Sunnyvale Heritage Museum. [2005 staff recommendation based on Council action 1/11/05]

## 7. PLANNING AND MANAGEMENT

### 7.1 Fiscal Management

- (1) Support efforts to reduce and make uniform grant regulations and reporting requirements. Oppose withholding of grant funding on the basis of issues unrelated to the specific program. [\*]
- (2) Encourage government entities to establish full-cost accounting systems. [First Appeared 1992; Modified/2003 Finance Staff Recommendation].
- (3) Oppose requiring cities to give local tax exemptions to non-profit organizations. [1994 Ballot Initiative-Prop. 176]
- (4) Support legislative bodies' ability to delegate investment responsibility to the treasurer of the local agency. [First Appeared 1996/Modified 1998-January]
- (5) Support efforts to recover the full and reasonable cost of providing City services through establishing new fees (including user fees and/or charges based on valuation), or increasing existing fees and charges (including user fees and/or charges based on valuation), as allowable by law. [2003 Finance Staff Recommendation]

## ATTACHMENT A

- (6) Support efforts to streamline the civil service system and authorize the state to competitively contract for public services (allow state agencies to bid for those services). [*First Appeared 1996*]
- (7) Support the voluntary formation of regional partnerships which could include tax sharing around specific issues: e.g., solid waste, air pollution, water pollution, transportation, etc. [*1990 NLC Resolution; Modified/2003 Finance Staff Recommendation*]
- (8) Support uniform collection of the Utility User Tax and franchise fees on all providers of public utilities. [*1998-December-staff suggestion*]
- (9) Oppose unfunded or underfunded state or federal mandates. Support legislation that would require an extraordinary vote for any mandate that does not fully fund the local obligation. [*Added to existing policy 1998-January/Modified 1998-December/2001 Clarification*]
- (10) Support funding for local governments and schools that are not in conflict with each other. [*1990 League Resolution*]
- (11) Support the ability of public agencies to contract out to save money and/or expedite projects. [*2001, Staff recommendation*]
- (12) Support uniform and consistent application of sales taxes and laws to all sales transactions. [*2001, Staff Clarification*]
- (13) Oppose extension of Internet tax moratorium; support efforts to simplify remote collection of sales and use taxes. [*2001, Staff recommendation/2003 NLC Resolution*]
- (14) Oppose attempts to limit the City's ability to manage and administer its locally prescribed pay and benefits systems. [*First Appeared 2003*]
- (15) Support legislation requiring voter approval before state government may take local tax funds. [*November 2003 City Council Resolution No. 153-03*]
- (16) Support adding the Federal Home Loan Banks to the list of organizations in section 149 of the Internal Revenue Code so that the Federal Home Loan Banks can provide standby purchase agreements, letters of credit, and other credit enhancements to cities. [*2004 NLC Resolution*]
- (17) Support legislation which would permit municipalities and other issuers of tax-exempt bonds an additional opportunity to advance refund outstanding tax-exempt bonds. [*2004 NLC Resolution*]
- (18) Oppose actions by the federal or state government that would reduce or erode local revenues. [2006 Finance staff recommendation]**  
*Explanation: This position currently exists under the Federal section i), but not the State section ii). Staff recommends adding this one and deleting the federal-specific position, in favor of one that covers both the federal and state levels of government.*

### i) Federal

- (1) Support maintaining a federal balanced budget and reducing the national debt. [*1989 NLC Resolution*]
- (2) Support tax-exempt financing for traditional government functions without the imposition of a state-by-state volume cap. [\*]

- (3) Support the permanent extension of the Targeted Jobs Tax Credit, Mortgage Revenue Bonds, Mortgage Credit Certificates and Qualified Small Issue Manufacturing Bonds. [*First Appeared 1992/Modified 1998-July*]
- (4) Oppose reducing funds to state and local governments through charging administrative costs against intergovernmental transfers. [*First Appeared 1992*]

**~~(5) Oppose actions that would reduce or erode local revenues. [2003, 2004 Finance Staff Recommendation, 2005 modified by staff]~~**

*Explanation: Deletion of this position in favor of 7.1(18) above, which -covers both federal and state levels of government.*

**(5) Support governmental actions to reform the tax code to eliminate taxation on non-realized income. [2006 Council Recommendation]**

*Explanation: Council directed staff to create this LAP during the January 10, 2006 Council meeting.*

**(6) Support governmental actions to reform the Alternative Minimum Tax (AMT). [2006 Council Recommendation]**

*Explanation: Council directed staff to create this LAP during the January 10, 2006 Council meeting.*

**ii) State**

- (1) Protect the authority of charter cities to control local revenues. Oppose the reconfiguration of revenue distribution formulas to take revenues away from local government to fund state programs. [*1989 LCC Resolution/2001 Clarification*]

**(2) Council opposed November 2005 Ballot Initiative-Prop 76, state spending funding limits. The measure attempted to limit state spending to prior years' level plus three previous years' average revenue growth, change minimum school funding requirements (Prop 98) and permit the Governor, under specified circumstances, to reduce budget appropriations of Governor's choosing. [2005 Ballot Initiative-Prop 76]**

*Explanation: Council adopted position of opposition to 2005 Ballot Initiative-Prop 76 on October 25, 2005.*

**~~(2)(3)~~ Support reform to Proposition 13 that would be more equitable to post-Proposition 13 property owners. Oppose selective exceptions from reassessments for special groups. [1988 & 1990 Ballot Initiatives-Props. 90, 93, 110]**

**~~(3)(4)~~ Support flexibility and local control in investments, while recognizing the need for some restriction on the types of investments public entities can make. [\*Modified 1996]**

**~~(4)(5)~~ Encourage the state to use market-based incentives to achieve policy goals instead of resorting to mandates. [*First Appeared 1998-July/Modified 1998-December*]**

**~~(5)(6)~~ Support state sales tax revenues from motor vehicle fuel sales being used for transportation purposes. [\*2001 Clarification]**

**~~(6)(7)~~ Oppose a mandated reduction in local property assessments for property owned by utility companies. [1989 NLC Resolution]**



- ~~(7)~~(8) Support proposals aimed at the development of multiple criteria for determining bonded indebtedness at the state level (i.e., beyond the current criteria of a "5% of total" cap) so as to protect the solvency of the state's general fund. Review bond proposals on the state ballot on a case by case basis, considering the overall need, the ability to cover operating costs, the impact on Sunnyvale, and the impact on the state general fund. [*First Appeared 1991/Modified 1993 LCC Resolution*]
- ~~(8)~~(9) Support a comprehensive state performance review and audit system and long-range financial planning and performance budgeting to enhance accountability, efficiency, and responsiveness at all levels of government. [*1993 LCC Resolution/Modified 1996*]
- ~~(9)~~(10) Support efforts that prohibit the state from borrowing to finance budgetary deficits. [*First Appeared 1996, 2006 Finance staff recommendation*]  
Explanation: Staff clarification.
- ~~(40)~~(11) Support full state repayment of local property tax revenues ~~(ERAF) to cities, taken through Educational Revenue Augmentation Funds (ERAF) shifts to fund state obligated education costs.~~ [*1997 LCC Resolution, 2006 Finance staff recommendation*]  
Explanation: Staff clarification.
- ~~(45)~~(12) Support efforts to amend the California Constitution to provide local government with protected and predictable revenue sources. Support passage of a ballot measures ~~to that~~ stabilize and protect local revenues and positively reform the state-local fiscal relationship, local government finance. [*Added to existing policy 1994/LCC-2001, #7, 2006 Finance staff recommendation*]  
Explanation: Staff clarification.
- (12) Support the ability of local governments and school districts to raise additional revenues through simple majority voter approval requirements; oppose efforts to place greater controls on the revenue raising authority of local governments and school districts. [*Added 1998-December-staff suggestion/2001 clarification; Modified/2003 Finance Staff Support Recommendation*]
- (13) Oppose attempts to earmark funding for local governments that may result in local funding reductions in other areas. [*2003 Finance Staff Support Recommendation*].
- (14) Support clear assignment of responsibility for state and local governments with better alignment of program responsibility and funding authority, with preference for local control versus state control. [*First Appeared 1996/Modified 1998-December*]
- (15) Support reforms to the property tax appeals process so that:
- Each public agency receiving property tax revenue shall be given reasonable notice of appeals, have legal standing to appear and be heard in connection with any property tax appeal affecting property tax revenue to be received by such agency.
  - At least one member of the property tax assessment appeals board shall be a representative of cities and redevelopment agencies within the county. [*1998 LCC Resolution*]

## 7.2 Community Participation

## 7.3 Legislative/Management

### Elections

## ATTACHMENT A

- (1) In cooperation with County Registrar of Voters, contain costs of elections as long as the elections process is not adversely affected (i.e., purge voter rolls, limit costs for candidate statements, prevent abuse of absentee ballot process). Support continued state reimbursement of absentee ballot costs. [*\*Modified 1993 LCC Resolution*]
- (2) In cooperation with County Registrar of Voters, support practices which would increase voter turnout in local elections (e.g., mail ballots, more information to voters for judicial elections). [*\**]
- (3) Support requiring absentee ballot applications to be submitted 14 days prior to an election. Support efforts to simplify and to expedite the counting of absentee ballots. [*1994 LCC Resolution*]
- (4) Support efforts to achieve the goals of the Political Reform Act of 1974 (reporting conflict of interest statements to the Fair Political Practices Commission) in a more cost-effective way. [*1994 LCC Resolution*]
- (5) Oppose initiatives that would take away the state legislature's ability to reform the state initiative process and that would make any changes contingent upon the approval of the electorate. [*1990 Ballot Initiative-Prop. 137*]
- (6) Support Instant Runoff Voting if/when it is determined to be economically and technologically feasible for the county. [*1998 Ballot Initiative-Measure F*]
- (7) Council opposed November 2005 Ballot Initiative-Prop 77, redistricting. The measure attempted to amend the state Constitution's process for redistricting California's Congressional, Senate, Assembly, and Board Equalization districts and require a three-member panel of retired judges selected by legislative leaders perform the redistricting. [2005 Ballot Initiative-Prop 77]**  
*Explanation: Council adopted position of opposition to 2005 Ballot Initiative-Prop 77 on October 25, 2005.*
- (8) Support the reauthorization of the key enforcement provisions of the 1965 Voting Rights Act and urge Congress to conduct the appropriate due diligence to investigate and establish a record of evidence to determine the need for reauthorization of the Act's key provisions. [2006 NLC Resolution]**

### Intergovernmental Relations

- (1) Support balanced representation of cities on LAFCOs. [*\*Modified 1998-January/2003 Moved to Current Section*]
- (2) Monitor and take an active role in the formulation of any regional/subregional government and growth management proposals. Support a reasonable, broad-based, participatory process for the discussion and/or implementation of regional policies consistent with Council policies and direction. [*First Appeared 1992/Modified 1993 and 1998-Januar/2003 Moved to Current Section*]
- (3) Support enhancing diversity and maintaining presidential discretion in League of California Cities appointments. [*1996 LCC Resolution/2003 Moved to Current Section*]
- (4) Support cooperative analysis and negotiation among neighboring and overlapping jurisdictions prior to promulgating laws, regulations, permits and fees that impact residents, property owners and businesses in locations receiving service from multiple agencies. [*2003 Public Works Staff Recommendation*]

### Human Resources

(1) Public Employee Retirement System:

- a. Limit cost-of-living increases and other benefits for retirees to those negotiated by cities (not state legislation); require contract amendments before any such benefit can become effective; and assure that payments for benefits are paid from assets of each employer's plan. [*1990 LCC Resolution*]
- b. Ensure that any excess revenue in funds is credited to employers' accounts. [*1990 LCC Resolution*]
- c. Oppose any benefit enhancements for PERS participants that are mandated by the State. [*2001, Staff recommendation*]
- d. Oppose PERS loans to the state general fund[\*]
- e. Encourage PERS to continue to develop programs to reduce the rate of medical premium increases and control medical insurance costs. [*1990 LCC Resolution*]
- f. Support efforts to urge the PERS Board to make available a centralized Medicare reimbursement program to local agencies that elect to participate. [*First Appeared 1992/Modified 1995*]
- g. Support the PERS Board contract with HMOs for fee-for-service plans, licensed and doing business in other states, to provide health benefits for retired employees who choose to reside out of California. Seek also to request the PERS Board to require contracts with out-of-state providers to provide substantially equivalent health services to those offered in California for members. [*First Appeared 1992*]
- h. Oppose any form of mandatory Social Security coverage. [\*]
- i. Oppose expansion of Medicare coverage of local employees beyond the current requirement for new hires. [\*]
- j. Seek a more active and equal voice for local contracting agency employers on the PERS board. [*2001, Staff recommendation*]
- k. Support legislation or other efforts to allow local agencies the option to utilize excess PERS investment assets as determined exclusively by the affected local contracting agency, and as permitted by law. [*LCC-2001, #3*]  
*Explanation: Modified formatting.*
- l. Support efforts to help ensure PERS maintains actuarial soundness to minimize short and long-term negative impacts to cities. [*First Appeared 2003*]
- m. Oppose attempts to limit the City's ability to ensure adequate provision of competitive retirement plans. [*First Appeared 2003*]
- n. Oppose efforts to limit the City's ability to negotiate two-tier retirement plans. [*2003 Finance Staff Recommendation*]

(2) Support appropriate efforts to increase employment in local government for the disabled. [*\*/Modified 1998-January and July*]

(3) Encourage appropriate balance of management/employee rights within context of the Meyers-Milias-Brown Act. Oppose actions that would usurp or override the local collective bargaining process and support actions that maintain protection of management rights. [\*]

- (4) Oppose the state mandating binding arbitration on local government. [\*]
- (5) Oppose Public Employee Relations Board review of alleged unfair labor practices because the courts offer sufficient remedies. [\*]
- (6) Oppose mandated "peace officer time banks," but support the right of local agencies to negotiate those. [\*]
- (7) Oppose illness presumptions for public employees including, but not limited to, cancer or AIDS. *[First Appeared 1989]*
- (8) Support eliminating the "salary basis" test for public employment with regard to the Fair Labor Standards Act. *[First Appeared 1993]*
- (9) Oppose taxability of employee benefits, including employer provided education assistance (Section 127). *[\*/Modified 1995-staff suggestion]*
- (10) Support federal Employment Non-Discrimination legislation to prohibit job discrimination on the basis of sexual orientation. *[2000 NLC. 2001 Clarification]*
- (11) Support equal opportunity regardless of age, sex, race, religion, etc. *[\*/Modified 1997 due to Prop. 209]*
- (12) Support legislation on pension portability to allow public employers to compete more vigorously with the private sector. *[2000 NLC resolution]*
- (13) Oppose legislation geared toward limiting Cities ability to establish Payroll deduction programs and determine appropriate deduction programs. *[First Appeared 2003]*
- (14) Oppose legislation that would extend Labor Code 4850 Benefits for longer than one year. *[2003 Human Resources Staff Recommendation]*
- (15) Support legislation regarding worker's compensation reform that reduces costs to the City. *[2003 Human Resources Staff Recommendation]*

**(16) Support a statewide Mentoring Program that can be accessed via the League of California Cities website. [2005 LCC Resolution]**

*Explanation: A statewide mentoring program would provide another resource for the City in reaching its staff development goals. Should a program be developed, and the City choose to participate, employees could have access to mentoring relationships to further their professional careers and develop new skills.*

**Telecommunications**

- (1) The Federal Communication Commission's involvement in cable television issues shall not encroach on or supersede local authority to regulate basic costs and enforce customer service standards. *[1989 LCC Resolution]*
- (2) Oppose cable television rate protection for some groups at the expense of others. *[First Appeared 1989]*

## ATTACHMENT A

- (3) Support provisions for public benefit access, providing local governments with the ability to adequately protect the public infrastructure, and allowing cities to be compensated for the private use of the public right-of-way by all telecommunications providers. [RTC 94-453/Modified 1998 January and July]
- (4) Support retaining the franchising authority granted to cities by the 1984 and 1992 Cable Acts and extending it to any agency offering video, voice, and data services. [Council RTC 94-453/2006 NLC Resolution]
- (5) Urge the FCC to require access code before accessing "900" business numbers, and impose penalties on the businesses/providers for non-compliance. [1994 NLC Resolutions]
- (6) Oppose prohibiting the freedom of expression using the Internet and similar electronic communications more than other vehicles of communications. [First Appeared 1996]
- (7) Oppose using telecommunications technology to access data which results in weakening individual privacy or security. [First Appeared 1996]
- (8) Urge the federal government to work vigorously with local governments to develop and make available compatible and affordable technology that will maximize efficiency in local government. [LCC-2001, #8]  
*Explanation: Modified formatting.*
- (9) Work with telephone companies and with state and federal regulatory agencies to improve telephone area code planning in California. [LCC-2001, #9]  
*Explanation: Modified formatting.*
- (10) Support efforts that overrule the Federal Communications Commission (FCC) Declaratory Order finding that cable modem service is an "interstate information service" and is not subject to state or federal telecommunications regulation or subject to local cable franchise requirements. [2003 Information Technology Staff Recommendation]
- (11) Oppose legislation or FCC ruling that defines Voice over Internet Protocol (VoIP) as an "interstate information service", which would preempt any state or local government's authority to regulate it. Encourage the federal government to not preempt the ability of local governments to regulate and/or impose taxes and fees on communications companies doing business within their community simply because of the technology employed to code the transmission of a voice, video or data signal. [2005 staff recommendation/2006 NLC Resolution]  
*Explanation: Modified formatting.*
- (12) Support state and federal legislation to ensure the continued ability of local governments to offer broadband Internet service access to citizens in an effort to promote and increase competition for those services. [2005 LCC Resolution]  
*Explanation: It is important for the City to be able to provide inexpensive Internet to the community so that as many residents as possible can use electronic services (examples: permits, Parks and Recreation class registrations, Library catalog). In addition, the residents should be able to access the City's website to become better informed about community and the City's activities. The local government itself or through a private partnership will be able to offer competitive pricing for Internet services that, in turn, may force the major Internet providers to lower their prices.*
- (13) Support legislation that strengthens, recognizes and protects local authorities' control over the public rights-of-way for delivery of data, video and voice services. [2006 Information Technology staff recommendation]

*Explanation: Potential for loss of revenue to the City, inadequate consumer protection from discriminatory practices, elimination of competition, and safety violations if the City doesn't have the franchise authority to control the providers of these services.*

**(14) Support legislation to extend or provide protection to elected and appointed officials from the publication of their home addresses or telephone numbers in newspapers or similar periodicals. [2005 LCC Resolution]**

*Explanation: This resolution is consistent with The Public Safety Officials Home Protection Act of 2002 which added provisions to Government Code § 6254.21 that prohibit any person from knowingly posting the home address or telephone number of any elected or appointed official, or the official's residing spouse or child, on the Internet, knowing that the person is an elected or appointed official and intending to cause imminent great bodily harm to that individual. The resolution would extend the same protections offered by the Public Safety Officials Home Protection Act of 2002 to other forms of mass media, notably newspapers and magazines. While the residence address of any elected official is discoverable under a Public Records Act request – and this resolution makes no attempt to change that access – this proposal would prohibit publication of the address(es) solely to target that official.*

**(15) Support legislation that would prohibit the publishing of personal information of elected or appointed first responders on web sites. [2006 NLC Resolution]**

**(16) Urge the federal government to encourage deployment of broadband networks in a competitive and technologically neutral manner and to support federal proposals that promote municipal broadband. Oppose any federal proposals that serve to preempt municipal authority to act in the interest of its citizens, by preventing local governments from installing and operating municipally owned cable or telecommunications systems. [2006 NLC Resolution]**

**Ames/Moffett Federal Complex**

- (1) Support NASA/Ames as the lead tenant of the Moffett Complex and steward of a federal, limited-use airfield. *[2001 simplified]*
- (2) Support ongoing cooperation between the City of Sunnyvale, the City of Mountain View and NASA/Ames, including developing and partnering with current or potential tenants, and working on the following areas of partnership: *[1998 Moffett Study Session 2001 modified]*
  - (a) California Air and Space Center
  - (b) Support the University Affiliated Research Center at the NASA Research Park
  - (c) Support the university partnerships at the NASA Research Park to meet future workforce needs of Sunnyvale businesses through internship programs, onsite continuing education and the development of new education curricula to support emerging technologies.
  - (d) Support the development of the NASA Research Park as an incubator of emerging industry business start-ups and new products for existing industry clusters
    - (i) Astrobiology
    - (ii) Biotechnology
    - (iii) Information technology
    - (iv) Nanotechnology*[Modified/2003 Community Development Staff Recommendation]*
- (3) Support ancillary and limited use of a government airfield for tenants of a government facility. *[1998 Moffett Study Session]*
- (4) The City of Sunnyvale (and the City of Mountain View) will be the lead local government agencies to examine the issues related to alternative land uses at the Ames/Moffett Federal Complex. Oppose efforts that would allow non-contiguous jurisdictions to determine future uses. *[First Appeared /Modified 1998 Moffett Study Session]*

- (5) Oppose commercial aviation, general aviation and air cargo at Moffett Federal Airfield. *[-\*/Modified 1998-January]*  
*Explanation: Corrected typo.*
- (6) Provide support to NASA as the lead agency in analysis and development of alternative uses, recognizing that NASA and the federal government are the ultimate decision-makers on implementation of feasible uses and future decisions related to Moffett Federal Complex. *[Council RTC 98-102]*
- (7) Participate in any regional or other discussions and decisions (including legislation or administrative action) on potential uses of NASA Ames/Moffett Federal Complex, including any aviation uses. *[Council RTC 98-102/Modified 1998 Moffett Study Session]*
- (8) Support efforts to remove Moffett Field as a reliever airport for San Jose International Airport and from the Regional Airport System Plan. *[First Appeared 1997/Modified 1998-December]*
- (9) Support adequate funding for NASA programs that strengthen the overall research and development programs at the NASA Ames/Moffett Federal Complex. *[First Appeared 1998-January]*
- (10) Support safety policies and procedures, for removing and/or storing ordnance from the Moffett complex, that ensures the protection of surrounding populations and the environment.
- (11) Support efforts to utilize assets at the Moffett Federal Complex in the national effort to combat weapons of mass destruction.
- (12) Support efforts to maintain the 129<sup>th</sup> Rescue Wing [or similar military presence] at Moffett Federal Airfield. Oppose relocation efforts. *[2003 Office of the City Manager Staff Recommendation]*
- ~~(13) Support efforts to retain Onizuka Air Force Base at Moffett Field.~~  
*Explanation: No longer applicable due to Congress passing into law the base Realignment and Closure Commission's 2005 recommendations on November 9, 2005 which included Onizuka Air Force Station. Under the BRAC statute, actions to close Onizuka must be initiated by September 15, 2007, and must be completed by September 15, 2011.*
- (14) Support the use of Federal funds to clean and restore Hanger One at Moffett Field so that it is habitable and code-compliant. [OCM staff recommendation 2005]  
*Explanation: Hanger One is important to the Sunnyvale community, and has been a regional landmark since its construction in 1933. Federal funding for remediation should not be limited to removing the source of contamination but should also be made available for any reconstruction of the hanger necessary to make it habitable and code-compliant so it may be used for a future public use.*

#### Miscellaneous

- (1) Support efforts to revise the California Constitution to enhance accountability, efficiency, and responsiveness for state and local government. *[First Appeared 1996]*
- (2) Support long-term strategic planning by the state and balanced, multiple year budgets with a prudent reserve and outcome-based performance measures. *[First Appeared 1996]*
- (3) Limit the expansion and proliferation of special districts. *[-\*/Modified 1997 and 1998-December]*



## ATTACHMENT A

- (4) Support the provisions in the Brown Act regarding closed sessions and oppose expansion of closed sessions beyond existing exemptions. Oppose narrowing of attorney-client privilege statutes. Support efforts to require the State Legislature, public commissions, boards, councils, and other public agencies of the state to conduct deliberations and meetings in accordance with the Brown Act. Oppose amendments to the Brown Act that put undue burdens on local government. [*\*/Modified in 1993 and 1994*]
- (5) Support efforts to require Congress and State Legislature to specifically declare when it is intending to preempt local government authority. [*First Appeared 1992*]
- (6) Support home-rule authority of charter cities and oppose any efforts to reduce local control. Support strengthening "home rule" provisions in the State Constitution. [*First Appeared 1996/Modified 1998-January; Modified/2003 Community Development & Finance Staff Recommendation/2006 NLC Resolution*]
- (7) Council opposed November 2005 Ballot Initiative-Prop 75, restrictions on use of public employee union dues toward political contributions and requirements for employee consent. The measure attempted to prohibit using public employee union dues for political contributions without individual employees' prior consent, excluding contributions to benefiting charities or employees. The measure also attempted to require unions to maintain and, upon request, report member political contributions to the Fair Political Practices Commission. [2005 Ballot Initiative-Prop 75]  
*Explanation: Council adopted position of opposition to 2005 Ballot Initiative-Prop 75 on October 25, 2005.*
- (8) Support the American Community Survey and the Census Bureau's 2010 Re-engineering effort, and seeks continued partnership with the Census Bureau as the 2010 Re-engineering effort develops throughout the decade. [2006 NLC Resolution]

### Tort Liability

- (1) Limit the power of the courts to award attorney fees in cases of public agency liability. [*\*/Modified 1996*]
- (2) Provide and support strengthening immunity for public agencies and city employees acting within the scope of their employment from liability, based on occurrences resulting from emergencies/disasters and enforcement of state toxic regulations. [*\*/Modified 1996/modified 2001*]
- (3) Support strengthening the ability of cities to recover attorney fees and costs when successfully defending frivolous lawsuits. [*\*/Modified 1996*]
- (4) Limit tort liability and provide certain tort immunities for public entities for unauthorized use of public property. [*First Appeared 1993*]
- (5) Support comprehensive tort reform, including limiting the joint and several liability of governmental agencies to a liability equal to the percentage of their wrong-doing. [*1989 LCC Resolution*]
- (6) Oppose prohibiting contractors from bidding on municipal construction projects solely because they are involved in legal proceedings against the municipality. [*1994 LCC Resolution*]